

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re: MARIE J. HOLGUIN,
Debtor.

No. 15-11410-j7

MARIE J. HOLGUIN,
Plaintiff,

v.

Adversary No. 18-1042 J

NATIONAL COLLEGIATE STUDENT
LOAN TRUST 2006-2, a Delaware
Statutory Trust,

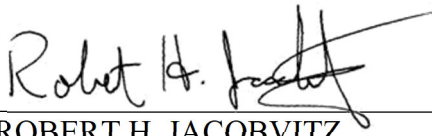
Defendant.

**ORDER DENYING DEFENDANT'S SECOND AMENDED MOTION FOR SUMMARY
JUDGMENT, BUT 1) GRANTING LEAVE TO SUPPLEMENT WITH ADDITIONAL
EVIDENCE; AND 2) DEEMING FACTS ESTABLISHED UNDER RULE 56(g)**

IN ACCORDANCE with the Court's Memorandum Opinion entered herewith,

IT IS HEREBY ORDERED, that Defendant's Second Amended Motion for Summary Judgment ("Motion for Summary Judgment") is DENIED, with leave to supplement the Motion for Summary Judgment with additional evidence under Fed. R. Civ. P. 56(e) no later than January 9, 2020. If Defendant timely supplements its Motion for Summary Judgment, the Court will determine whether to grant summary judgment based on the additional evidence. If Defendant does not timely supplement its Motion for Summary Judgment with additional evidence, the Court will set this adversary proceeding for trial.

ORDERED FURTHER, that the Facts not Subject to Genuine Dispute identified in paragraphs 1 – 25 of the Court's Memorandum Opinion are deemed established consistent with Fed. R. Civ. P. 56(g) for all purposes in this adversary proceeding.



ROBERT H. JACOBVITZ
United States Bankruptcy Judge

Date entered on docket: December 17, 2019

COPY TO:

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